#### Perspectives on Compliance Assistance Site Visits

#### Presented by

**Glenda Swierc,** Environmental Compliance Assistance Specialist, Small Business and Environmental Assistance Division,
Texas Commission on Environmental Quality

**Alan MacKenzie**, Senior Hydrologist, Wisconsin Department of Agriculture, Trade, and Consumer Protection **Clint Sperry**, Environmental Scientist, Office of Compliance, Region 7, U.S. Environmental Protection Agency

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#### Cosponsored by

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## Pollution Prevention for Agrichemical Dealerships in Wisconsin

Alan MacKenzie

Wisconsin Department of Agriculture, Trade and Consumer Protection

Containment and Remediation Section

#### DIFFERENCES

- •Homegrown
- Focused Beyond Compliance
- •Small Scale, Small Budget
- Attraction by \$ Savings, Recognition

#### Objectives

- Work with Industry Leaders
- Encourage Suitable Technology and Management Solutions
- Share the Best with the Rest

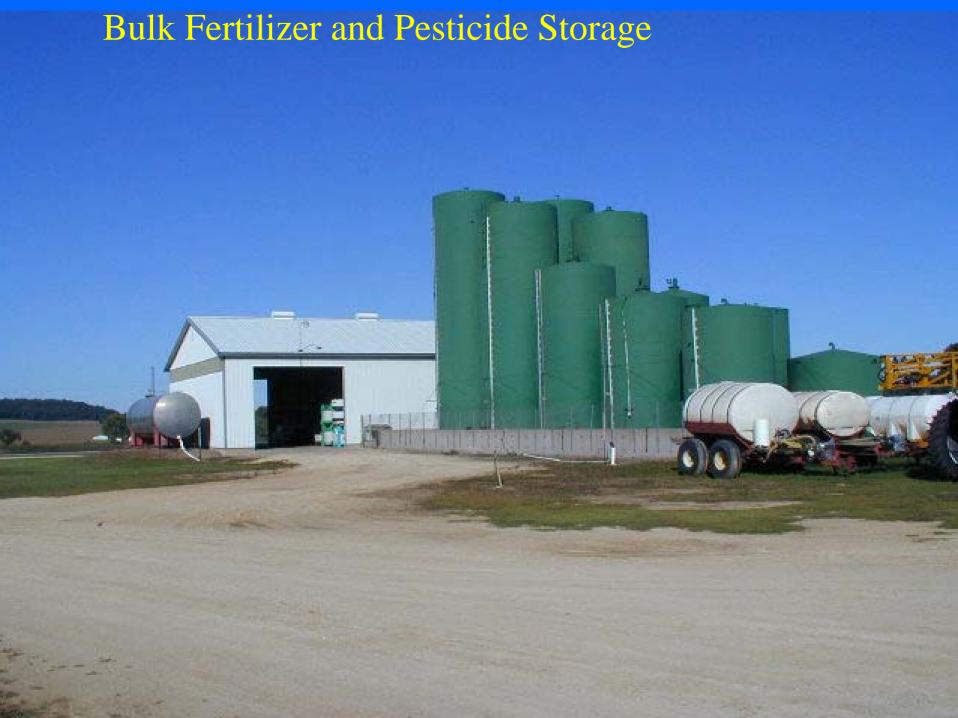
#### Goal

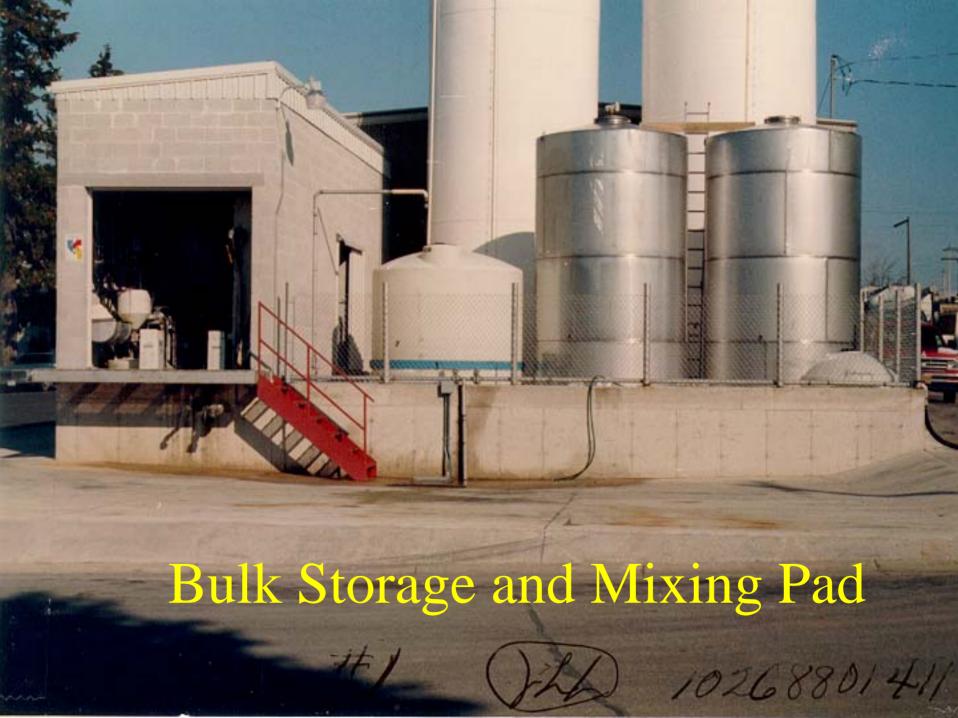
 Help Industry Raise the Bar and Lower Environmental Impact

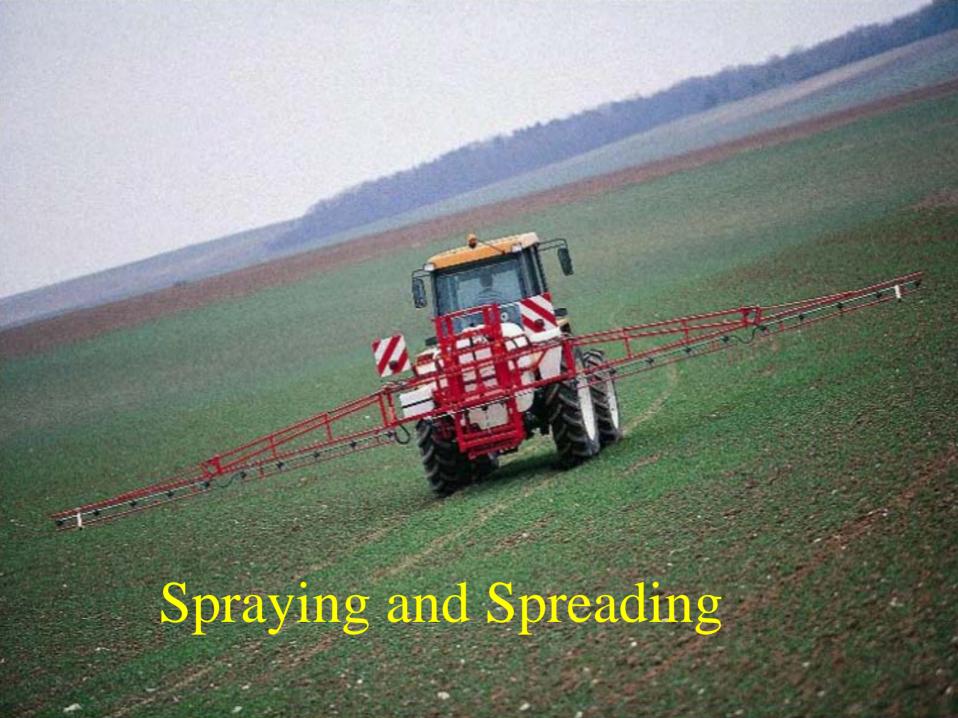
## Quick Industry Overview

- Narrow Industry Definition
- Small Numbers (400 500)
- Licensing
- Rules backed by Inspections

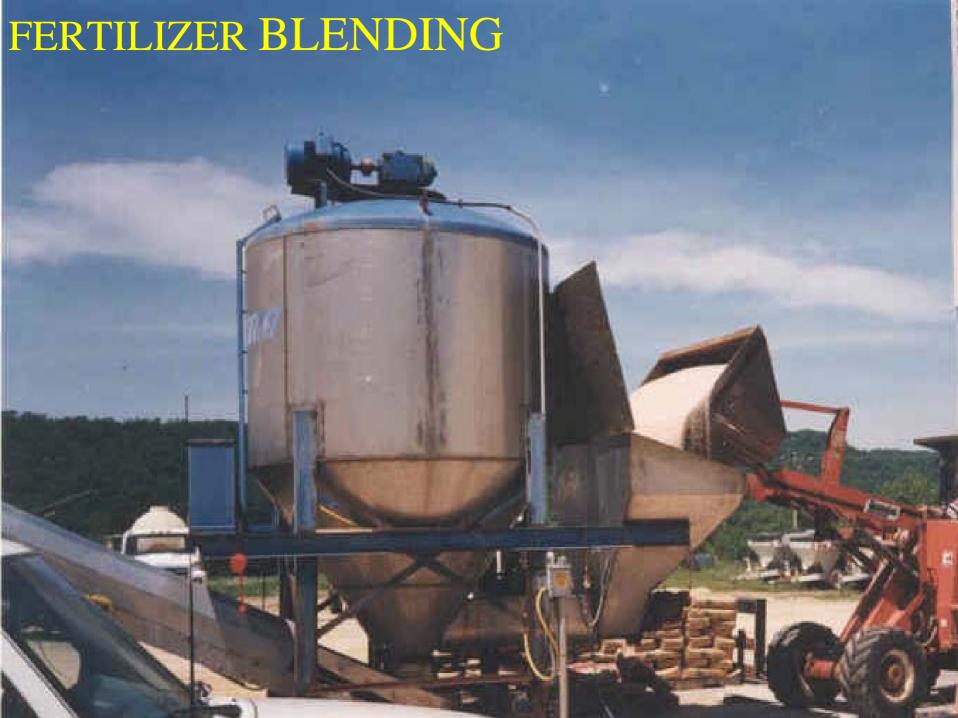














Fertilizer Loading ...and Spilling







## Current Regulation

- Containment required during storage and handling
- Cleanup acute and chronic spills
- Cleanup reimbursed 80%

#### Uncomfortable Discovery

- Ground water contamination at 60% (>1995)
- Inspect structures, not management (>1988)
- Recontamination costs mounting
- Can we enforce rules effectively?

## Options for Change

- Step up enforcement of existing rules
- More rules
- Outreach to push beyond compliance

## Voluntary Program-PPAD

- Site assessment (non-enforcement)
- Prioritize problem areas
- Workplan for chosen solutions
- Implement Solutions
- Inspector verification

#### Site Visit Considerations

- Problems discovered by on-site monitoring
- Limited sources of appropriate technology
- Solutions often site specific
- Limited access to industry through Web
- Recontamination issue urgent

## Site Visit by Whom?

- No existing CA collaborator
- Third party hired by DATCP
- Third party hired by industry
- Industry's environmental staff
- Self audit
- DATCP Inspector
- Cross territory DATCP Inspector

## **DATCP** Inspector Participation

- Experience and Familiarity
- No Cost
- Want Inspector Buy-In
- What are the barriers

#### **DATCP** Inspector Reaction

- Dual Role compliance and assistance
- Not Needed, Status Quo OK
- Voluntary Aspect Confusing Amnesty
- "Greenwashing"

## Site Visit Advantage

- Chance to learn practical solutions
- Verification
- Chance for other CA
- Chance to be positive, build trust

#### **Current Status**

- Participants: 6 last year, 12 this year
- PPAD Manual
  - Check lists
  - Planning form
  - Idea sheets
  - Fact sheets
- Web Pages



#### Wisconsin Agrichemical Dealerships

#### **Good Facility Management Series**



#### Are you tracking something off your pad?

During the busy season, unattended wash water and small spills can lead to chemical leaving the pad on sprayer tires. Even these small amounts can add up and lead to ground water contamination.

## **Build A Pad Grate**

Keep tires out of dirty rinse water with a simple, durable grate.

#### Benefits

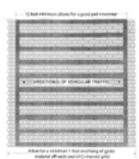
- Reduced tracking of chemical off the pad
- 2. Reduced rinsate volume by 50%
- 3. Safer foot traffic on pad

#### Materials

1/4" steel C-channel frame 4x8' expanded steel grate 2 days of labor

#### Cost

\$965 + labor









2811 Agriculture D. Madison, WI 53708-0911 http://datco.stute.ov/.us 608 224.4517 ARM

Our special thanks to Jefferson County Farmoo Coop for sharing this idea.



## Funding

- No additional staff shift duties, 50% FTE
- '00-'01: OPP, OECA \$27K
- '01-'02: PPIS \$8K
- '02-'03 PPIS \$20K

Conserve the Cleanup Fund

#### **Future Direction**

- Develop Recognition Program
- Market
- Revise as needed
- Engage Industry Steering Committee
- Develop Performance Measures





## Compliance Assistance Visits (CAV's)

- Region VII EPA
- Clint Sperry (913) 551-7057
- Carol LeValley (913) 551-7610



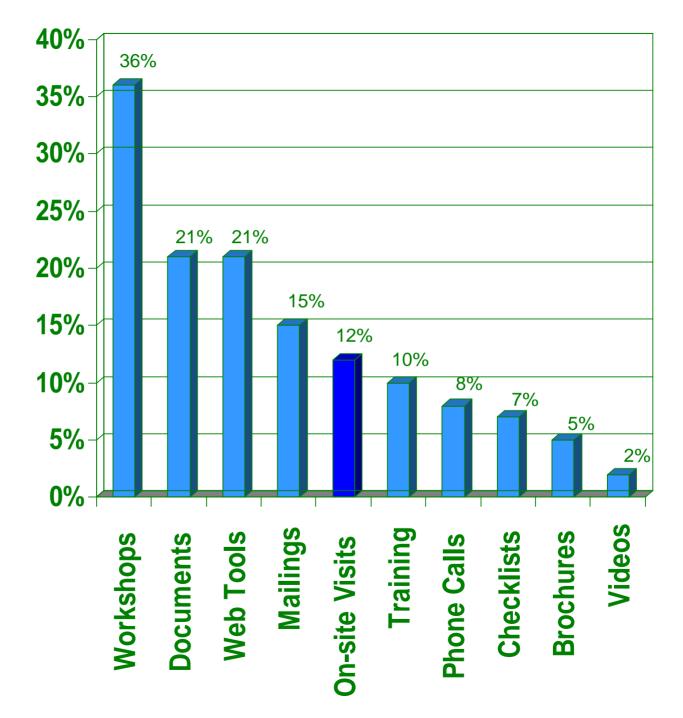
# Why Should We Conduct Compliance Assistance Visits?





- To achieve and advance regulatory compliance
- To ensure the regulated community understands its regulatory obligations
- To ensure they know how to comply with applicable environmental requirements







## Selecting Candidates for CAV's

- A targeting team, representative of air, water, RCRA and EPCRA will select four facilities per year
- The team will select facilities according to media specific priorities
- Facilities selected will be small businesses and/or located in Environmental Justice areas



## Prior to Conducting CAV's

- States will be notified prior to conducting CAV
  - invite them to attend
- Facility will be contacted to coordinate on-site compliance assistance visit



# Conducting the On-Site CAV

- Conduct normal entry procedures and explain purpose of the visit
- Perform normal inspection procedures
  - records
  - visual
- Conduct exit briefing informing facility of areas of non-compliance
- No Notice of Violation left



# After Conducting CAV

- CAV report is written and submitted to the applicable program
- Facilities with areas of non-compliance will have 30 days to return to compliance
- If facility does not return to compliance within 30 days, a Compliance Evaluation Inspection will be conducted to determine if enforcement is warranted



## **Measurement Tool**

- Facilities that had areas of noncompliance during the CAV will have a follow-up inspection
- Make sure facility did what they said they would do
- Conduct a survey to determine if the CAV was helpful
- Ask what we could do to make CAV's better



## ??Questions??



# **Texas Commission on Environmental Quality**

National Compliance Assistance Providers Forum 2002

Glenda Swierc
TCEQ Compliance Assistance Specialist
Small Business and Local Government Assistance
Site Visit Program

# Exciting developments in environmental regulations

- Small Business & Local Government Assistance (SBLGA)
- Non-enforcement program within the TCEQ
- Toll-free hotline: 1-800-447-2827

## What is Small Business and Local Government Assistance?

Why should I call the hotline number?



Texas Commission on Environmental Quality

Small Business and Local Government Assistance

# Small Business & Local Government Assistance

- CONFIDENTIAL technical assistance
- COMPLETELY SEPARATE from enforcement
- NO RISK associated with calling
- FREE to small businesses and local governments regulated by the TCEQ

#### Results

#### SBLGA efforts in 2001 and 2002:

- Assisted 4,966 entities in 2001, and averted 69 enforcement cases, saving the regulated community almost \$262,000 in fines
- Assisted 6,352 entities in 2002, and averted 113 enforcement cases, saving the regulated community almost \$428,044 in fines

### **Technical Assistance**

- Toll-free hotline: 1-800-447-2827
- Real people not recordings
- Trained Field Staff in all 16 TCEQ regions
- Central & Field Staff handle multimedia issues

### Site Visit Program

- Another FREE and CONFIDENTIAL program which is funded through federal grants & state funding
- Marketed by SBLGA field staff, hotline, workshops, county road shows, *Advocate* newsletter, and site visit brochure
- Professional environmental consultants
- Identifies compliance issues & solutions
- 230 Site Visits conducted in 2001; 346 in 2002
- Participating in the SBLGA Site Visit Program can positively influence a regulated entities Compliance History Classification / Score



Fully compliant? Now you're eligible for...

### **Compliance Commitment Partnership**

One-year exemption from TCEQ scheduled inspections!

21 Compliance Commitment Certificates Issued in 2002

Call to schedule: 1-800-447-2827

## Small Business & Local Government Site Visit Program

What is a Small Business or Local Government?

- <u>Small Business</u> a facility with 100 or fewer employees, independently owned or operated
- Local Government
- > City which serves a population of <50,000
- > County which serves a population <100,000
- > Independent school district which serves a student population < 50,000

## **Industry Checklists**

- Anhydrous Ammonia Storage Facilities
- Autobody
- Automotive Repair
- Auto Salvage
- Dry Cleaners
- Edwards Aquifer
- Fleet Maintenance
- Foundry
- General
- Metal Finishers
- Printers
- Surface Coating
- Wood Products Manufacturing

http://www.tnrcc.state.tx.us/exec/small\_business/CklistIndex.html

Future industry checklists under development:

**Metal Fabrication** 

**Concrete Batch Plants** 

**Thermoset Resin** 



## Compliance Guides

- Auto Body Shops
- Automotive Repair Shops
- Dry Cleaners
- Foundries
- Metal Finishers
- Printers
- Surface Coaters
- Thermoset Resin Facilities
- Wood Product Facilities

http://www.tnrcc.state.tx.us/exec/sbea/smallbus.html

Questions about the guides? 1-800-447-2827



### Other Info & Assistance





#### **Local Government Advisory Committee**

UPDATE

On-site Sewage Facilities (OSSF) Rules Approved By TNRCC

Rules for on-site servage facilities (DSSF), more commonly known as septic systems, here undergone econt charges. The chash Natural Resistant Conservation Commission (TRECS) amended Tide 35 Texas Advantant sites Code (TAC) Chapter 285, effective June 13, 2001. These amendments primarily clarify the rules which make them easier to understand and arthers. The amendments also respond the appreciating requirement for the Installer I Comes and keep the permitting less the same as previously specified in this rule. The TWICC did not assend the portion of the TAC into to address the possibility 0050° thrappe-back less as originally proposed. Meetings with stateholders are undirecely to consider 0050° thrappe-back less as originally proposed. Meetings with stateholders are undirecely to consider the property of options which may lead to a fature rule revision. The revised rules can be viewed by going to the TNRCC's web site at <u>Intra-News trace state is up</u> and clicking the letter "O" on the web page index. Workshops will he half of various building thereshold the state to halfer inform those affected by the rule channes. To obtain more information about the workshops, you may out the Small Basiness and Local Govern Assistance Section (SBLGA) hoties at 1-800-447-2827 or the OSSF Program at (512) 239-0914

#### Outdoor Burning Regulations That Apply To Local Governments

The outstoor burning rule, Title 30 TAC Chapter 111,301 - 111,221, prohibits outstoor burning anywhere within the state of Texas. The rule allows for exceptions for specific situations where burning is necessary and does not pose a threat to the environment. Some exceptions have notification requirements and others and does not gone a threat but we inhoment. Some exceptions have notification requirements and others, require TROCC approval prior to burning. The TROCC and/or burning guidance document. Outbloom Burning in Feasi (RSA-89), describes the notification requirements for each exception. To obtain a copy of this document, call the SER,GA hotine. One exception to this nide refers to burning domestic visites such as household bush or ad-body. Domestic vasion may be burned only if the local governmental entity does as Transmission team of astroin. Detention waste integral fainted only of the cool governmental entire dead of provide a state of provide and the cool of provide a state of provide and the cool of t burring causes a releasor, violates any provisions of an applicable authorization, causes a violation of any air quality standard, or does not conform to specific conditions.

#### For Your Information...

Storm Water Program
The Commissioners of the TNROC conditionally approved the multi-sector general shorm under permit for chalculated activity. May 2001. Prior to the permit being issued, the EPA must review and provide fearl approved of the proposed rehations. Other this process is compelled, the permit will be signed by the Commissioners and Sectore effector. Copies of the included shorm safety permit and all infriend forms should be posted on the TNRCC web site as soon as the permit is adopted. The storm water general term) for small requisted Municipal Separate Storm Sever System (MSds) is being developed and should

#### Read them online:

www.tnrcc.state.tx.us/exec/sbea/smallbus.html

Or get free delivery: call **1-800-447-2827** 



**Texas Commission on Environmental Quality** Small Business and Local Government Assistance

## A Voice in the Regulation Process

- Small Business Advisory Committee
- Local Government Advisory Committee
- Region 14 TCEQ SBLGA Representative
  - Glenda Swierc Region 14 Office TAMUCC
  - 6300 Ocean Dr., NRC Ste. 3300
  - Corpus Christi, TX 78412
  - Phone: 361/825-3421; Fax: 361/825-3437
  - Email: gswierc@tceq.state.tx.us



## **QUESTIONS!**

